



November 29, 2021

Memorandum

To: Mined Land Reclamation Board

From: Amy C Yeldell, EPS

**RE: Documents submitted by Division for December 15-16, 2021 Board Hearing;
Consideration of a Possible Violation for Failure failure to post additional financial
warranty within 60 days of the date of notice of adjustment, Permit No. M-1986-002,
Craig Ranch Pit**

Dear Board Members,

Active Mines Program staff for the Division will be presenting a consideration of possible violations, cease and desist order, and civil penalties, for failure to post additional financial warranty within 60 days of the date of notice of adjustment.

The following documents have been included in the Board Packet:

- | | |
|-----------------------------------------|---------------|
| 1. DRMS Inspection Report | May. 26, 2021 |
| 2. Notice of Surety Increase (SI-3) | Jul. 19, 2021 |
| 3. Reason to Believe a Violation Exists | Oct. 19, 2021 |
| 4. Notice of Virtual Hearing | Nov. 10, 2021 |
| 5. Revised-Notice of Virtual Hearing | Nov. 29, 2021 |




DRMS Inspection Report 5/26/2021



MINERALS PROGRAM INSPECTION REPORT
PHONE: (303) 866-3567

The Division of Reclamation, Mining and Safety has conducted an inspection of the mining operation noted below. This report documents observations concerning compliance with the terms of the permit and applicable rules and regulations of the Mined Land Reclamation Board.

| | | | |
|----------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|-----------------------------|
| MINE NAME: Craig Ranch Pit | MINE/PROSPECTING ID#: M-1986-002 | MINERAL: Sand and gravel | COUNTY: Mesa |
| INSPECTION TYPE: Monitoring | INSPECTOR(S): Amy Yeldell | INSP. DATE: May 26, 2021 | INSP. TIME: 08:30 |
| OPERATOR: Oldcastle SW Group, Inc. dba United Com Mesa County | OPERATOR REPRESENTATIVE: Tyra Bartuska | TYPE OF OPERATION: 112c - Construction Regular Operation | |
| REASON FOR INSPECTION: Normal I&E Program | BOND CALCULATION TYPE: Complete Bond | BOND AMOUNT: \$223,350.00 | |
| DATE OF COMPLAINT: NA | POST INSP. CONTACTS: DRMS | JOINT INSP. AGENCY: None | |
| WEATHER: Clear | INSPECTOR'S SIGNATURE:  | SIGNATURE DATE: June 8, 2021 | |

GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

| | | |
|---------------------------------------------|-------------------------------------------|---------------------------------|
| (AR) RECORDS----- <u>Y</u> | (FN) FINANCIAL WARRANTY----- <u>Y</u> | (RD) ROADS----- <u>Y</u> |
| (HB) HYDROLOGIC BALANCE----- <u>Y</u> | (BG) BACKFILL & GRADING----- <u>Y</u> | (EX) EXPLOSIVES----- <u>NA</u> |
| (PW) PROCESSING WASTE/TAILING---- <u>NA</u> | (SF) PROCESSING FACILITIES----- <u>NA</u> | (TS) TOPSOIL----- <u>Y</u> |
| (MP) GENL MINE PLAN COMPLIANCE- <u>Y</u> | (FW) FISH & WILDLIFE----- <u>Y</u> | (RV) REVEGETATION---- <u>Y</u> |
| (SM) SIGNS AND MARKERS----- <u>PB</u> | (SP) STORM WATER MGT PLAN---- <u>N</u> | (RS) RECL PLAN/COMP-- <u>N</u> |
| (ES) OVERBURDEN/DEV. WASTE----- <u>N</u> | (SC) EROSION/SEDIMENTATION--- <u>N</u> | (ST) STIPULATIONS----- <u>Y</u> |
| (AT) ACID OR TOXIC MATERIALS----- <u>NA</u> | (OD) OFF-SITE DAMAGE----- <u>N</u> | |

Y = Inspected / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

The following inspection topic(s) were identified as having a **Problem (PB)**, which includes correction actions and a deadline whereby the Operator must demonstrate compliance with the conditions of the Permit and the requirements of the Act and Rules. Failure to address the corrective actions by the deadline may cause the Division to escalate the Problem to a **Possible Violation (PV)** and schedule the issue for formal hearing before the Mined Land Reclamation Board (Board).

INSPECTION TOPIC: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The mine identification sign was not posted at the entrance of the mine site. This is a problem for failure to post a mine identification sign as required by Section 3.1.12(1) of the rule. The Operator shall, at the entrance of the mine site post a sign, which shall be clearly visible from the access road, with a minimum size equaling one hundred and eighty-seven (187) square inches, such as eleven (11) inches in height and seventeen (17) inches in width, with appropriate font size, with the following: the name of the Operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number.

CORRECTIVE ACTIONS: The operator shall, at the entrance of the mine site, post a sign which shall be clearly visible from the access road with the following: the name of the operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number. The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.

CORRECTIVE ACTION DUE DATE: 8/09/21

OBSERVATIONS

This inspection was conducted as part of the Colorado Division of Reclamation, Mining and Safety (Division) normal monitoring program. The Craig Ranch Pit is a 112c permitted site that includes a total of 153.4 permitted acres with approximately 14 acres currently affected. This site located approximately one mile southwest of Whitewater, Colorado in Mesa County and is accessed from Highway 141. Tyra Bartuska with Oldcastle SW Group, Inc. dba Untied Companies of Mesa County represented the operator and accompanied Amy Yeldell of the Division conducted the inspection.

The mine identification sign was missing at the time of the inspection. This was also cited as an inspection problem in 2018 and 2015. The Operator needs to establish a more permanent means of placing a mine sign at the entrance to the permit boundary and ensure it remains in place. Failure to post a mine sign as required per Rule 3.1.12 is cited as an inspection problem. By the corrective action date listed on page two of this report provide the Division with photo documentation that a permanent mine sign has been posted at the mine entrance. The permit boundary is delineated by a wire t-post fence.

The scale has been removed from location. No scale house is located on site. No equipment, fuel or other structures are located within the permit boundary.

Several large stockpiles of crushed material are stored on the pit floor. This pit is used sporadically and was inactive at the time of the inspection. Portable equipment will be mobilized when more material is needed. Asphalt millings are on site from the last time an asphalt plant was on site. This site is approved for Intermittent

Status, the operator is still required to be active annually.

The active highwall on the northeast edge is approximately 1200 LF at 20 feet tall and near vertical highwall. Mining is progressing towards the south leaving a visual berm in place till the end.

The pit is heavily grazed. Very little vegetation remains in undisturbed areas. Upon final reclamation exclusion fencing will be necessary to establish vegetation.

The Division currently requires a financial warranty amount of \$223,350 for this site. The bond was last updated in 2018 with SI-2. In an effort to ensure the Financial Warranty adequately, reflects the actual current cost of fulfilling the requirements of the approved reclamation plan the Division will be updating the reclamation cost estimate. If the current bond is found to be insufficient the Division will send a Notice of Surety Increase under a separate cover.

Responses to this inspection report should be directed to: Amy Yeldell at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 303-866-3567 Ext 8183 or via email at amy.yeldell@state.co.us

Inspection Contact Address

Tyra Bartuska
Oldcastle SW Group, Inc. dba United Companies of Mesa County
2273 River Road
Grand Junction, CO 81505

EC:
Travis Marshall, Senior EPS, Grand Junction DRMS

PHOTOGRAPHS









Notice of Surety Increase (SI-3)
7/19/2021



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

July 19, 2021

Jason Burkey
Oldcastle SW Group, Inc. dba United Companies of Mesa County
2273 River Road
Grand Junction, CO 81502-3609

RE: Craig Ranch Pit, Permit No. M-1986-002, Reclamation Costs Update and Notice of Surety Increase (SI-3)

Dear Mr. Burkey:

In an effort to ensure the Financial Warranty for the above referenced site adequately reflects the actual current costs of fulfilling the requirements of the approved reclamation plan, the Colorado Division of Reclamation, Mining and Safety (Division) has updated the reclamation cost estimate (copy enclosed).

Division calculations estimate the cost to reclaim the above referenced site to be \$276,821.00. This is an increase of \$53,471.00 over the \$223,350.00 currently held by the Division. This estimate is based on conditions observed during the May 26, 2021 inspection. ***Therefore, pursuant to Section 34-32.5-117(4) of the Colorado Land Reclamation Act, adequate Financial Warranty must be submitted to the Division within 60 days of the mailing date of this letter.*** The additional amount needs to be accepted prior to **Friday, September 17, 2021**. Please review the enclosed figures as soon as possible and contact our office if any calculation errors are noted.

Please make arrangements with Jeff Thompson at the Division of Reclamation, Mining and Safety Denver Office, phone no. 303.866.3567, ext. 8138 for submittal of the financial warranty. Any questions regarding completion, execution and/or submittal of financial warranty forms should also be directed to Jeff Thompson.

If you require additional information, or have questions or concerns, please feel free to contact me.

Sincerely,

Amy Yeldell
Environmental Protection Specialist

Ec: Travis Marshall, Senior EPS, Grand Junction DRMS
Jeff Thompson, Financial Warranty Specialist, DRMS



COST SUMMARY WORK

Task description: 5-26-21 Inspection Update

Site: Craig Ranch Pit

Permit Action: 2021-05

Permit/Job#: M1986002

PROJECT IDENTIFICATION

Task #: ACY

State: Colorado

Abbreviation: None

Date: 7/19/2021

County: Mesa

Filename: M002-ACY

User: ACY

Agency or organization name: DRMS

TASK LIST (DIRECT COSTS)

| Task | Description | Form Used | Fleet Size | Task Hours | Cost |
|--------------------------|---------------------------------------------------------|-----------|------------|---------------|------------------|
| 02a | Regrade near vertical side slopes to 3H:1V | DOZER | 1 | 10.81 | \$2,541 |
| 03a | Fiinish placement of overburden and wash fines | SCRAPER1 | 2 | 27.68 | \$57,944 |
| 04a | Bring topsoil from stockpile, place topsoil on 30 acres | SCRAPER1 | 2 | 30.68 | \$64,215 |
| 05a | Revegetation of 30 acres | REVEGE | 1 | 40.00 | \$79,973 |
| 06a | Initial Mobilization | MOBILIZE | 1 | 2.62 | \$8,718 |
| 06b | Secondary Mobilization | MOBILIZE | 1 | 2.62 | \$1,437 |
| <u>SUBTOTALS:</u> | | | | 114.41 | \$214,828 |

INDIRECT COSTS

OVERHEAD AND PROFIT:

Liability insurance: 2.02

Total = \$4,340

Performance bond: 1.05

Total = \$2,256

Job superintendent: 57.21

Total = \$4,120

Profit: 10.00

Total = \$21,483

TOTAL O & P = \$32,198

CONTRACT AMOUNT (direct + O & P) = \$247,026

LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs): \$500

Total = \$500

Engineering work and/or contract/bid preparation: 4.25

Total = \$10,499

Reclamation management and/or administration: 5.00

\$12,351

CONTINGENCY: 3.00

Total = \$6,445

TOTAL INDIRECT COST = \$61,993

TOTAL BOND AMOUNT (direct + indirect) = \$276,821

BULLDOZER WORKTask description: **Regrade near vertical side slopes to 3H:1V**Site: **Craig Ranch Pit**Permit Action: 2021-05Permit/Job#: M1986002**PROJECT IDENTIFICATION**Task #: 02AState: ColoradoAbbreviation: NoneDate: 7/19/2021County: MesaFilename: M002-02aUser: ACYAgency or organization name: DRMS**HOURLY EQUIPMENT COST**Basic Machine: Cat D8T - 8SUHorsepower: 310Blade Type: Semi-UniversalAttachment: NAShift Basis: 1 per dayData Source: (CRG)**Cost Breakdown:**

| | | <u>Utilization %</u> |
|------------------------|---------|----------------------|
| Ownership Cost/Hour: | \$97.46 | NA |
| Operating Cost/Hour: | \$97.63 | 100 |
| Ripper own. Cost/Hour: | \$0.00 | NA |
| Ripper op. Cost/Hour: | \$0.00 | 0 |
| Operator Cost/Hour: | \$40.04 | NA |

Total unit Cost/Hour: \$235.13Total Fleet Cost/Hour: **\$235.13****MATERIAL QUANTITIES**Initial Volume: 4,000Swell factor: 1.180Loose volume: **4,720 LCY**Source of estimated volume: Table L-1Source of estimated swell factor: Cat Handbook**HOURLY PRODUCTION**Average push distance: 75 feetUnadjusted hourly production: 1,017.1 LCY/hrMaterials consistency description: Compacted fill or embankment 0.9Average push gradient: 0 %Average site altitude: 4,700 feetMaterial weight: 2,400 lbs/LCYWeight description: Clay and gravel - Dry**Job Condition Correction Factor**

| | | <u>Source</u> |
|-----------------------|-------|---------------|
| Operator Skill: | 0.750 | (AVG.) |
| Material consistency: | 0.900 | (CAT HB)) |
| Dozing method: | 1.000 | (GEN.) |
| Visibility: | 1.000 | (AVG.) |

| | | |
|------------------|-------|---------------|
| Job efficiency: | 0.830 | (1 SHIFT/DAY) |
| Spoil pile: | 0.800 | (FND-RF) |
| Push gradient: | 1.000 | (CAT HB) |
| Altitude: | 1.000 | (CAT HB) |
| Material Weight: | 0.958 | (CAT HB) |
| Blade type: | 1.000 | (PAT) |

Net correction: 0.4294

Adjusted unit production: 436.74 LCY/hr

Adjusted fleet production: **436.74** LCY/hr

JOB TIME AND COST

Fleet size: 1 Dozer(s)

Unit cost: \$0.538/LCY

Total job time: **10.81** Hours

Total job cost: **\$2,541**

SCRAPER TEAM WORKTask description: **Finish placement of overburden and wash fines**Site: **Craig Ranch Pit**Permit Action: 2021-05Permit/Job#: M1986002**PROJECT IDENTIFICATION**Task #: 03AState: ColoradoAbbreviation: NoneDate: 7/19/2021County: MesaFilename: M002-03aUser: ACYAgency or organization name: DRMS**HOURLY EQUIPMENT**COSTShift basis: 1 per day

| | Equipment Description |
|---------------------------------|-----------------------|
| -Scraper: | Cat 627G w/push-pull |
| -Dozer: | Cat D8T - 8SU |
| Support Equipment -Load Area: | NA |
| -Dump Area: | Cat D8T - 8SU |
| Road Maintenance -Motor Grader: | NA |
| -Water Truck: | NA |

Cost Breakdown:**Scraper Work Team****Support Equipment****Maintenance Equipment**

| | Scraper | Dozer | Load Area | Dump Area | Motor Grader | Water Truck |
|------------------------|----------|------------|-----------|-----------|--------------|-------------|
| %Utilization-machine: | 100 | 100 | NA | 100 | NA | NA |
| Ownership cost/hour: | \$188.81 | \$97.46 | NA | \$97.46 | NA | NA |
| Operating cost/hour: | \$169.82 | \$97.63 | NA | \$97.63 | NA | NA |
| %Utilization-ripper: | NA | NA | NA | NA | NA | NA |
| Ripper own. cost/hour: | NA | \$0.00 | NA | \$0.00 | NA | NA |
| Ripper op. cost/hour: | NA | \$0.00 | NA | \$0.00 | NA | NA |
| Operator cost/hour: | \$47.07 | \$40.04 | NA | \$40.04 | NA | NA |
| Unit Subtotals: | \$405.70 | \$235.13 | NA | \$235.13 | NA | NA |
| Number of Units: | 4 | 1 | 0 | 1 | 0 | 0 |
| Group Subtotals: | Work: | \$1,857.93 | Support: | \$235.13 | Maint: | \$0.00 |

Total work team cost/hour: **\$2,093.06****MATERIAL QUANTITIES**Initial volume: 35,000

CCY

Swell factor: 1.000Loose volume: **35,000**

LCY

Source of estimated volume: Table L-1Source of estimated swell factor: Cat Handbook**HOURLY PRODUCTION****Scraper Bowl (volume) Basis:**

Material weight: 2,700 lbs/LCY
 Material description: Sand and clay - Loose
 Rated Payload: 52,800 pounds
 Payload Capacity: 19.56 LCY

Struck Volume: 15.70 LCY
 Heaped Volume: 22.00 LCY
 Average Volume: 18.85 LCY
 Adjusted Capacity: **18.85** LCY

Cycle Time:Scraper Loading Time: 0.90 MinutesManeuver and Spread Time: 0.60 MinutesJob Condition Correction:

Site Altitude: 4700 feet

| | Scraper | Push Dozer | Source |
|-----------------|---------|------------|----------|
| Altitude Adj: | 1.000 | 1.000 | (CAT HB) |
| Job Efficiency: | 0.830 | 0.830 | (CAT HB) |
| Net Correction: | 0.830 | 0.830 | |

Travel Time:Road Condition: Firm, smooth, rolling, dirt/lt. surfaced, watered, maintained 3.0Haul Route:

| Seg # | Haul Distance (Ft) | Grade (%) | Roll. Res (%) | Total Res (%) | Velocity (fpm) | Travel Time (min) |
|-------|--------------------|-----------|---------------|---------------|----------------|-------------------|
| 1 | 1250.00 | 5.00 | 3.00 | 8.00 | 1381 | 0.97 |

Haul Time: 0.97 minutesReturn Route:

| Seg # | Haul Distance (Ft) | Grade (%) | Roll. Res (%) | Total Res (%) | Velocity (fpm) | Travel Time (min) |
|-------|--------------------|-----------|---------------|---------------|----------------|-------------------|
| 1 | 1250.00 | -5.00 | 3.00 | -2.00 | 2938 | 0.50 |

Return Time: 0.50 minutesTotal Scraper team cycle time: 2.97 minutesAdjusted for job conditions: 632.14 LCY/HourSelected Number of Scrapers: 2 Scraper(s)Adjusted single scraper team (unit) hourly production: 632.14 LCY/HourAdjusted multiple scraper team (fleet) hourly production: 1,264.28 LCY/HourUnadjusted unit production/hour: 761.62 LCY/Hour

Optimal Number of Scrapers per push dozer: _____

JOB TIME AND COSTFleet size: 2 Team(s)Total job time: 27.68 HoursUnit cost: \$1.656 /LCYTotal job cost: \$57,944

SCRAPER TEAM WORKTask description: **Bring topsoil from stockpile, place topsoil on 30 acres**Site: **Craig Ranch Pit**Permit Action: 2021-05Permit/Job#: M1986002**PROJECT IDENTIFICATION**Task #: 04AState: ColoradoAbbreviation: NoneDate: 7/19/2021County: MesaFilename: M002-04aUser: ACYAgency or organization name: DRMS**HOURLY EQUIPMENT**COSTShift basis: 1 per day

| | Equipment Description |
|---------------------------------|-----------------------|
| -Scraper: | Cat 627G w/push-pull |
| -Dozer: | Cat D8T - 8SU |
| Support Equipment -Load Area: | NA |
| -Dump Area: | Cat D8T - 8SU |
| Road Maintenance -Motor Grader: | NA |
| -Water Truck: | NA |

Cost Breakdown:**Scraper Work Team****Support Equipment****Maintenance Equipment**

| | Scraper | Dozer | Load Area | Dump Area | Motor Grader | Water Truck |
|------------------------|----------|------------|-----------|-----------|--------------|-------------|
| %Utilization-machine: | 100 | 100 | NA | 100 | NA | NA |
| Ownership cost/hour: | \$188.81 | \$97.46 | NA | \$97.46 | NA | NA |
| Operating cost/hour: | \$169.82 | \$97.63 | NA | \$97.63 | NA | NA |
| %Utilization-ripper: | NA | NA | NA | NA | NA | NA |
| Ripper own. cost/hour: | NA | \$0.00 | NA | \$0.00 | NA | NA |
| Ripper op. cost/hour: | NA | \$0.00 | NA | \$0.00 | NA | NA |
| Operator cost/hour: | \$47.07 | \$40.04 | NA | \$40.04 | NA | NA |
| Unit Subtotals: | \$405.70 | \$235.13 | NA | \$235.13 | NA | NA |
| Number of Units: | 4 | 1 | 0 | 1 | 0 | 0 |
| Group Subtotals: | Work: | \$1,857.93 | Support: | \$235.13 | Maint: | \$0.00 |

Total work team cost/hour: **\$2,093.06****MATERIAL QUANTITIES**Initial volume: 36,000

CCY

Swell factor: 1.000Loose volume: **36,000**

LCY

Source of estimated volume: Table L-1 Reclamation task and Cost EstimateSource of estimated swell factor: Cat Handbook**HOURLY PRODUCTION****Scraper Bowl (volume) Basis:**

| | | | | |
|-----------------------|----------------------|--------------------|---------------------|-----|
| Material weight: | <u>1,600 lbs/LCY</u> | Struck Volume: | <u>15.70</u> | LCY |
| Material description: | <u>Top Soil</u> | Heaped Volume: | <u>22.00</u> | LCY |
| Rated Payload: | <u>52,800 pounds</u> | Average Volume: | <u>18.85</u> | LCY |
| Payload Capacity: | <u>33.00 LCY</u> | Adjusted Capacity: | <u>18.85</u> | LCY |

Cycle Time:Scraper Loading Time: 0.90 MinutesManeuver and Spread Time: 0.60 MinutesJob Condition Correction:

Site Altitude: 4700 feet

| | Scraper | Push Dozer | Source |
|-----------------|---------|------------|----------|
| Altitude Adj: | 1.000 | 1.000 | (CAT HB) |
| Job Efficiency: | 0.830 | 0.830 | (CAT HB) |
| Net Correction: | 0.830 | 0.830 | |

Travel Time:Road Condition: Firm, smooth, rolling, dirt/lt. surfaced, watered, maintained 3.0Haul Route:

| Seg # | Haul Distance (Ft) | Grade (%) | Roll. Res (%) | Total Res (%) | Velocity (fpm) | Travel Time (min) |
|-------|--------------------|-----------|---------------|---------------|----------------|-------------------|
| 1 | 1500.00 | 5.00 | 3.00 | 8.00 | 1381 | 1.13 |

Haul Time: 1.13 minutesReturn Route:

| Seg # | Haul Distance (Ft) | Grade (%) | Roll. Res (%) | Total Res (%) | Velocity (fpm) | Travel Time (min) |
|-------|--------------------|-----------|---------------|---------------|----------------|-------------------|
| 1 | 1500.00 | -5.00 | 3.00 | -2.00 | 2938 | 0.57 |

Return Time: 0.57 minutesTotal Scraper team cycle time: 3.20 minutesAdjusted for job conditions: 586.71 LCY/HourSelected Number of Scrapers: 2 Scraper(s)Adjusted single scraper team (unit) hourly production: 586.71 LCY/HourAdjusted multiple scraper team (fleet) hourly production: 1,173.41 LCY/HourUnadjusted unit production/hour: 706.88 LCY/Hour

Optimal Number of Scrapers per push dozer: _____

JOB TIME AND COSTFleet size: 2 Team(s)Total job time: 30.68 HoursUnit cost: \$1.784 /LCYTotal job cost: \$64,215

REVEGETATION WORKTask description: Revegetation of 30 acresSite: Craig Ranch PitPermit Action: 2021-05Permit/Job#: M1986002**PROJECT IDENTIFICATION**Task #: 05AState: ColoradoAbbreviation: NoneDate: 7/19/2021County: MesaFilename: M002-05aUser: ACYAgency or organization name: DRMS**FERTILIZING****Materials**

| Description | Units / Acre | Unit | Cost / Unit | Cost /Acre |
|-------------|-----------------|------|-----------------------------------------------------|---------------|
| | | | \$ | \$ |
| | | | Total Fertilizer Materials Cost/Acre | \$0.00 |

Application

| Description | Cost /Acre |
|-----------------------------------------------|---------------|
| | \$ |
| Total Fertilizer Application Cost/Acre | \$0.00 |

TILLING

| Description | Cost /Acre |
|--------------------------------------------------|-----------------|
| Disc harrowing, 6" deep (MEANS 32 91 13.23 6100) | \$114.56 |
| Total Tilling Cost/Acre | \$114.56 |

SEEDING

| Seed Mix | Rate – PLS LBS / Acre | Seeds per SQ. FT | Cost /Acre |
|----------------------------------|--------------------------------|------------------------|------------|
| Sand Dropseed | 6.30 | 752.07 | \$61.43 |
| Sandberg Bluegrass - VNS | 5.00 | 106.18 | \$42.00 |
| Galleta | 6.30 | 23.00 | \$140.81 |
| Triticale | 10.00 | 5.74 | \$7.50 |
| Saltbush, Four Wing | 0.60 | 0.83 | \$7.50 |
| Globemallow, Scarlet (or copper) | 1.30 | 14.72 | \$176.15 |
| Winter Fat | 3.80 | 9.68 | \$77.90 |
| Yarrow, Western | 1.30 | 79.03 | \$54.34 |
| Kochia, Forage (Prostrate) | 0.60 | 84.27 | \$5.39 |
| | | | |

| | | | |
|------------------------|-------|----------|-----------------|
| Totals Seed Mix | 35.20 | 1,075.51 | \$573.01 |
|------------------------|-------|----------|-----------------|

Application

| Description | Cost /Acre |
|-----------------------------------------|-------------------|
| Drill Seeding (DRMS Survey Cost) | \$232.00 |
| Total Seed Application Cost/Acre | \$232.00 |

MULCHING and MISCELLANEOUS**Materials**

| Description | Units / Acre | Unit | Cost / Unit | Cost /Acre |
|-------------------------------------------|-------------------------|-------------|--------------------|-------------------|
| Herbicide - 2,4D @ 1.0 pt/ac | 1.00 | ACRE | \$2.98 | \$2.98 |
| Straw, delivered {MEANS 31 25 14.16 1200} | 2.00 | TON | \$307.02 | \$614.04 |
| Total Mulch Materials Cost/Acre | | | | \$617.02 |

Application

| Description | Cost /Acre |
|-------------------------------------------------|-------------------|
| Crimping, with tractor {DMG survey data} | \$71.57 |
| Power mulcher (MEANS 32 91 13.16 0350) | \$106.29 |
| Weed spray, truck, non-aquatic area, nox. [DMG] | \$62.72 |
| Total Mulch Application Cost/Acre | \$240.58 |

NURSERY STOCK PLANTING

| Common Name | No / Acre | Type and Size | Planting Cost | Fertilizer Pellet Cost | Cost /Acre |
|-----------------------------------------|----------------------|----------------------|--------------------------|-----------------------------------|-------------------|
| | | | | | \$ |
| Totals Nursery Stock Cost / Acre | | | | | \$0.00 |

JOB TIME AND COST

| | | | |
|----------------------------------|--------------------------|--------------|------------|
| No. of Acres: | 30 | Cost /Acre: | \$1,777.17 |
| Estimated Failure Rate: | 50% | Cost /Acre*: | \$1,777.17 |
| *Selected Replanting Work Items: | TILLING,SEEDING,MULCHING | | |
| Initial Job Cost: | \$53,315.10 | | |
| Reseeding Job Cost: | \$26,657.55 | | |
| Total Job Cost: | \$79,973 | | |
| Job Hours: | 40.00 | | |

EQUIPMENT MOBILIZATION/DEMOBILIZATIONTask description: **Initial Mobilization**Site: **Whitewater Quarry**Permit Action: **2021-05**Permit/Job#: **M1986002****PROJECT IDENTIFICATION**Task #: **06A**State: **Colorado**Abbreviation: **None**Date: **7/19/2021**County: **Mesa**Filename: **M002-06a**User: **ACY**Agency or organization name: **DRMS****EQUIPMENT TRANSPORT RIG COST**Shift basis: **1 per day**Cost Data Source: **CRG Data**Truck Tractor Description: **GENERIC ON-HIGHWAY TRUCK TRACTOR, 6X4, DIESEL POWERED,
400 HP (2ND HALF, 2006)**Truck Trailer Description: **GENERIC FOLDING GOOSENECK, DROP DECK EQUIPMENT
TRAILER (25T, 50T, AND 100T)****Cost Breakdown:**

| Available Rig Capacities | 0-25 Tons | 26-50 Tons | 51+ Tons |
|---------------------------------|------------------|-------------------|-----------------|
| Ownership Cost/Hour: | \$21.28 | \$37.94 | \$47.67 |
| Operating Cost/Hour: | \$26.55 | \$50.48 | \$56.21 |
| Operator Cost/Hour: | \$20.54 | \$20.54 | \$20.54 |
| Helper Cost/Hour: | \$0.00 | \$23.53 | \$23.53 |
| Total Unit Cost/Hour: | \$68.37 | \$132.49 | \$147.95 |

NON ROADABLE EQUIPMENT:

| Machine Description | Weight/ Unit (TONS) | Owner ship Cost/hr/ unit | Haul Rig Cost/hr/unit | Fleet Size | Haul Trip Cost/hr/ fleet | Return Trip Cost/hr/ fleet | DOT Permit Cost/ fleet |
|-------------------------------------|---------------------------|-----------------------------|--------------------------|---------------|--------------------------------|-------------------------------|---------------------------|
| Cat D8T - 8SU | 47.71 | \$97.46 | \$132.49 | 2 | \$459.90 | \$264.98 | \$500.00 |
| Cat 627G w/push-pull | 43.48 | \$188.81 | \$132.49 | 4 | \$1,285.20 | \$529.96 | \$1,000.00 |
| Drill/Broadcast Seeder with Tractor | 25.00 | \$7.98 | \$68.37 | 1 | \$76.35 | \$68.37 | \$250.00 |
| Power Mulcher (Bowie LD-90) | 6.00 | \$14.98 | \$68.37 | 1 | \$83.35 | \$68.37 | \$250.00 |
| Subtotals: | | | | | \$1,904.80 | \$931.68 | \$2,000.00 |

ROADABLE EQUIPMENT:

| Machine Description | Total Cost/hr/ unit | Fleet Size | Haul Trip Cost/hr/ fleet | Return Trip Cost/hr/ fleet |
|--------------------------------|------------------------|------------|-----------------------------|-------------------------------|
| Light Duty Pickup, 4x4, 3/4 T. | \$41.16 | 2 | \$82.32 | \$82.32 |
| Subtotals: | | | \$82.32 | \$82.32 |

EQUIPMENT HAUL DISTANCE and Time

| | | |
|--------------------------------------------------------|-----------------------|-------|
| Nearest Major City or Town within project area region: | <u>GRAND JUNCTION</u> | |
| Total one-way travel distance: | <u>7.00</u> | miles |
| Average Travel Speed: | <u>45.00</u> | mph |

| | |
|-------------------------------------|-------------------|
| Total Non-Roadable Mob/Demob Cost * | <u>\$8,692.06</u> |
| '* two round trips with haul rig: | |
| Total Roadable Mob/Demob Cost ** | <u>\$25.61</u> |
| ** one round trip, no haul rig: | |

Transportation Cycle Time:

| | Non-Roadable Equipment | Roadable Equipment |
|-------------------------|------------------------|--------------------|
| Haul Time (Hours): | <u>0.16</u> | <u>0.16</u> |
| Return Time (Hours): | <u>0.16</u> | <u>0.16</u> |
| Loading Time (Hours): | <u>0.50</u> | <u>NA</u> |
| Unloading Time (Hours): | <u>0.50</u> | <u>NA</u> |
| Subtotals: | <u>1.31</u> | <u>0.31</u> |

JOB TIME AND COST

| | | |
|-----------------|-------------|-------|
| Total job time: | <u>2.62</u> | Hours |
|-----------------|-------------|-------|

| | |
|-----------------|----------------|
| Total job cost: | <u>\$8,718</u> |
|-----------------|----------------|

EQUIPMENT MOBILIZATION/DEMOBILIZATIONTask description: Secondary MobilizationSite: Whitewater QuarryPermit Action: 2021-05Permit/Job#: M1986002**PROJECT IDENTIFICATION**Task #: 06BState: ColoradoAbbreviation: NoneDate: 7/19/2021County: MesaFilename: M002-06bUser: ACYAgency or organization name: DRMS**EQUIPMENT TRANSPORT RIG COST**Shift basis: 1 per dayCost Data Source: CRG DataTruck Tractor Description: GENERIC ON-HIGHWAY TRUCK TRACTOR, 6X4, DIESEL POWERED,
400 HP (2ND HALF, 2006)Truck Trailer Description: GENERIC FOLDING GOOSENECK, DROP DECK EQUIPMENT
TRAILER (25T, 50T, AND 100T)**Cost Breakdown:**

| Available Rig Capacities | 0-25 Tons | 26-50 Tons | 51+ Tons |
|---------------------------------|------------------|-------------------|-----------------|
| Ownership Cost/Hour: | \$21.28 | \$37.94 | \$47.67 |
| Operating Cost/Hour: | \$26.55 | \$50.48 | \$56.21 |
| Operator Cost/Hour: | \$20.54 | \$20.54 | \$20.54 |
| Helper Cost/Hour: | \$0.00 | \$23.53 | \$23.53 |
| Total Unit Cost/Hour: | \$68.37 | \$132.49 | \$147.95 |

NON ROADABLE EQUIPMENT:

| Machine Description | Weight/ Unit (TONS) | Owner ship Cost/hr/ unit | Haul Rig Cost/hr/unit | Fleet Size | Haul Trip Cost/hr/ fleet | Return Trip Cost/hr/ fleet | DOT Permit Cost/ fleet |
|-------------------------------------------|---------------------------|-----------------------------|--------------------------|---------------|--------------------------------|-------------------------------|---------------------------|
| Drill/Broadcast Seeder with Tractor | 25.00 | \$7.98 | \$68.37 | 1 | \$76.35 | \$68.37 | \$250.00 |
| Power Mulcher (Bowie LD-90) | 6.00 | \$14.98 | \$68.37 | 1 | \$83.35 | \$68.37 | \$250.00 |
| Subtotals: | | | | | \$159.70 | \$136.74 | \$500.00 |

ROADABLE EQUIPMENT:

| Machine Description | Total Cost/hr/ unit | Fleet Size | Haul Trip Cost/hr/ fleet | Return Trip Cost/hr/ fleet |
|--------------------------------|------------------------|------------|-----------------------------|-------------------------------|
| Light Duty Pickup, 4x4, 3/4 T. | \$41.16 | 2 | \$82.32 | \$82.32 |
| Subtotals: | | | \$82.32 | \$82.32 |

EQUIPMENT HAUL DISTANCE and Time

| | | |
|--------------------------------------------------------|-----------------------|-------|
| Nearest Major City or Town within project area region: | <u>GRAND JUNCTION</u> | |
| Total one-way travel distance: | <u>7.00</u> | miles |
| Average Travel Speed: | <u>45.00</u> | mph |

| | |
|-------------------------------------|-------------------|
| Total Non-Roadable Mob/Demob Cost * | <u>\$1,411.63</u> |
| '* two round trips with haul rig: | |
| Total Roadable Mob/Demob Cost ** | <u>\$25.61</u> |
| ** one round trip, no haul rig: | |

Transportation Cycle Time:

| | Non-Roadable Equipment | Roadable Equipment |
|-------------------------|------------------------|--------------------|
| Haul Time (Hours): | <u>0.16</u> | <u>0.16</u> |
| Return Time (Hours): | <u>0.16</u> | <u>0.16</u> |
| Loading Time (Hours): | <u>0.50</u> | <u>NA</u> |
| Unloading Time (Hours): | <u>0.50</u> | <u>NA</u> |
| Subtotals: | <u>1.31</u> | <u>0.31</u> |

JOB TIME AND COST

| | | |
|-----------------|-------------|-------|
| Total job time: | <u>2.62</u> | Hours |
|-----------------|-------------|-------|

| | |
|-----------------|----------------|
| Total job cost: | <u>\$1,437</u> |
|-----------------|----------------|

Reason to Believe a Violation Exists 10/19/2021



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

October 19, 2021

Jason Burkey
Oldcastle SW Group, Inc. dba United Companies of Mesa County
2273 River Road
Grand Junction, CO 81502-3609

**Re: Reason to Believe a Violation Exists and Notice of Board Hearing;
Craig Ranch Pit; Permit M-1986-002**

Mr. Burkey:

On July 19, 2021, the Division of Reclamation Mining and Safety (Division), issued a Surety Increase (SI-3) for the above mentioned pit. A financial warranty increase in the amount of \$53,471 for a total bond amount of \$276,821 to be submitted within sixty days (September 17, 2021). To date, the required additional financial warranty has not been submitted to the Division and we believe this is a violation of:

- C.R.S. 34-32.5-117(4)(c)(ii) a financial warrantor shall have sixty days after the date of notice of any adjustments to fulfill the new requirements.

Therefore, the Division has reason to believe that a violation exists to the Colorado Land Reclamation Act for the Extraction of Construction Materials, C.R.S. § 34-32.5-101 *et seq.*, and have scheduled this matter to appear before the Mined Land Reclamation Board (MLRB).

A Formal Public Hearing will be held during the December 16-17, 2021 Board Meeting for consideration of this possible violation. The hearing will be held at 1313 Sherman Street, Room 318, Denver, Colorado, beginning at 9:00 a.m. on December 16 or as soon thereafter as the matter can be considered.

In order to be considered at the hearing, all exhibits, materials and witness testimony you wish for the Board to consider must be submitted via email to the MLRB Administrator, Camie Mojar at: Camille.mojar@state.co.us, no later than 5:00 PM, December 3, 2021.

Please note the meeting format is subject to change due to the impacts of COVID-19. You will be notified as soon as possible of any changes to the meeting format. If you have good cause not to appear in person you may submit a request to the MLRB to appear virtually via (ZOOM). To do so please submit an email to the MLRB Administrator, no later than 5:00 PM, December 10, 2021 for Board consideration. If approved you will receive an authorization code to attend the meeting for this matter. Please note that only Parties and those who will be testifying may attend by ZOOM. All other interested persons may attend the hearing via the MLRB YouTube Channel: <https://www.youtube.com/channel/UCDrrAO8bIPFIQwce-yH1fWA>

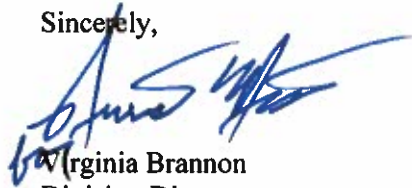


If the Board finds a violation at this hearing, it may issue a Cease and Desist Order and assess a Civil Penalty in the amount of \$100.00 to \$1,000.00 for each day of violation, pursuant to C.R.S. 34-32.5-124(7). Pursuant to C.R.S. 34-32.5-124(6)(a), the Board may suspend, modify, or revoke the permit. If you have evidence indicating that the possible violation noted above does not exist or has been corrected, please provide it to the Division as soon as possible or bring it to the hearing. Any information to be considered by the Board during the hearing must be received by the Division on or before December 9, 2021.

The Board's agenda may not be finalized until the week of the Board meeting. Therefore, we recommend you contact the Board's Administrator, Camille Mojar by telephone at (303) 866-3567, ext. 8136 or by email at Camille.Mojar@state.co.us on Monday, December 13, 2021 to confirm the specific date for the hearing.

If you have any questions about this letter or the hearing, please contact Amy Yeldell at (303) 866-3567, ext. 8183.

Sincerely,



Virginia Brannon
Division Director

CERTIFIED MAIL # 70182290000189235043

Return Receipt Requested

cc: Russ Means, DRMS
Travis Marshall, DRMS
Amy Yeldell, DRMS
Jeff Fugate, AGO

Notice of Virtual Hearing 11/10/2021

1313 Sherman Street, Room 215
Denver, CO 80203

November 10, 2021

Jason Burkey
Oldcastle SW Group, Inc. dba United Companies o Mesa County
2273 River Road
Grand Junction, CO 81502-3069
Email address: jason.burkey@na.crh.com

Notice of Virtual or Hearing
Mined Land Reclamation Board Hearing December 14, 2021

The Mined Land Reclamation Board's December 14, 2021 meeting will be held VIRTUALLY in accordance with guidance from Governor Jared Polis related to COVID-19.

Due to the impacts of the COVID-19 virus on availability of State facilities and Division resources, notice is hereby given that your matter noticed for the December 14, 2021 Mined Land Reclamation Board hearing will be heard via ZOOM video conference. The meeting will start promptly at 9:00 AM on December 14, 2021. Meeting links and all pertinent information will be provided to you prior to the hearing.

Please note: In order to access and participate in the hearing you must provide a valid e-mail address to Camie Mojar at: 303.866.3567, ext 8136 or camille.mojar@state.co.us. Additionally, if you plan to submit documents or other materials to the Board at the hearing they must be provided to Ms. Mojar by close of business December 10, 2021.

The Board and the Division appreciate your patience during this time. If further changes to the MLRB schedule are necessary you will be contacted. If you have any questions please call or e-mail Camille Mojar at: 303.866.3567, Ext 8136 or camille.mojar@state.co.us

Sincerely,



Amy C Yeldell
Environmental Protection Specialist
Division of Reclamation, Mining and Safety



M-1986-002
Notice of Virtual Hearing
November 10, 2021

Cc: Russ Means, Active Mines Program Director, Minerals
Travis Marshall, Senior Environmental Protection Specialist
Jeff Fugate, DRMS AGO

Ec: Jason Burkey, Oldcastle SW Group, Inc. dba United Companies o Mesa County

Revised-Notice of Virtual Hearing 11/29/2021

1313 Sherman Street, Room 215
Denver, CO 80203

November 29, 2021

Jason Burkey
Oldcastle SW Group, Inc. dba United Companies o Mesa County
2273 River Road
Grand Junction, CO 81502-3069
Email address: jason.burkey@na.crh.com

REVISED-Notice of Virtual or Hearing
Mined Land Reclamation Board Hearing December 14, 2021

The Mined Land Reclamation Board's **December 15, 2021** meeting will be held **VIRTUALLY** in accordance with guidance from Governor Jared Polis related to COVID-19.

Due to the impacts of the COVID-19 virus on availability of State facilities and Division resources, notice is hereby given that your matter noticed for the **December 15, 2021** Mined Land Reclamation Board hearing will be heard via ZOOM video conference. The meeting will start promptly at 9:00 AM on **December 15, 2021**. Meeting links and all pertinent information will be provided to you prior to the hearing.

Please note: In order to access and participate in the hearing you must provide a valid e-mail address to Camie Mojar at: 303.866.3567, ext 8136 or camille.mojar@state.co.us. Additionally, if you plan to submit documents or other materials to the Board at the hearing they must be provided to Ms. Mojar by close of business December 10, 2021.

The Board and the Division appreciate your patience during this time. If further changes to the MLRB schedule are necessary you will be contacted. If you have any questions please call or e-mail Camille Mojar at: 303.866.3567, Ext 8136 or camille.mojar@state.co.us

Sincerely,



Amy C Yeldell
Environmental Protection Specialist
Division of Reclamation, Mining and Safety



M-1986-002
Notice of Virtual Hearing
November 29, 2021

Cc: Russ Means, Active Mines Program Director, Minerals
Travis Marshall, Senior Environmental Protection Specialist
Jeff Fugate, DRMS AGO

Ec: Jason Burkey, Oldcastle SW Group, Inc. dba United Companies o Mesa County